

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JOEL SMITH,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting  
Commissioner of Social Security,

Defendant.

Case No. C14-389-RSL-JPD

REPORT AND RECOMMENDATION

Plaintiff brought this action to seek judicial review of the denial of his application for disability benefits by the Commissioner of the Social Security Administration. Dkt. 3. The parties have stipulated that this case should be reversed and remanded for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Dkt. 16.

Based on the stipulation of the parties, the Court recommends that this case be REVERSED and REMANDED for further administrative proceedings before an Administrative Law Judge (“ALJ”), including the opportunity for a *de novo* hearing. On remand, the case shall be remanded back to the Agency for further review by internal medical experts. In the event that the Agency does not make a finding of disability based on the record, the case shall be returned

1 to the ALJ for a *de novo* hearing, consideration of all evidence, including any additional  
2 evidence submitted, and a new decision.

3       Upon proper application, the Court will consider whether reasonable attorney's fees and  
4 costs should be awarded pursuant to 28 U.S.C. § 2412.

5       Because the parties have stipulated that the case be remanded as set forth above, the  
6 Court recommends that United States District Judge Robert S. Lasnik immediately approve this  
7 Report and Recommendation. The Clerk should note the matter for **July 21, 2014** as ready for  
8 Judge Lasnik's consideration. A proposed order accompanies this Report and Recommendation.

9       DATED this 21st day of July, 2014.

10   
11 JAMES P. DONOHUE  
12 United States Magistrate Judge  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24